

versations with me, and to selling me one of Alden's "pats" last winter, the whole of which is rank perjury, which I shall be able to show when I set the opportunity, which I hope will be very soon. He also made an application on my behalf to arrest me. I was informed of it, and immediately went to the Sheriff's office and gave bail, and was never arrested. I answered the complaint yesterday, and noticed it for the first time that the Plaintiff in the case had been of the "dead" mentioned in this action until Alden brought it in my office some time last January. I never heard of the man Hibbard until I saw it in the affidavit, which I will show by at least two witnesses, never received a similar from Alden for any purpose whatsoever. New York, Oct. 29, 1874.

D. C. BIRDELL.

SENTENCES IN THE UNITED STATES COURT.

In the United States Circuit Court yesterday Judge Benedict sentenced criminals as follows: William Simpson, sending obscene literature through the mail, 10 years imprisonment and a fine of \$5,000; Simpson is an old offender; James Leary, perjury in swearing to fraudulent naturalization papers, 4 years and 6 months in State Prison; the Rev. John Cowan, formerly chaplain of the 6th New York Artillery, conspiracy to defraud the Government, 2 years in State Prison; J. W. Casey, mate of the ship Sovereign of the Seas, cruelty to sailors, 2 months in State Prison, and a fine of \$250; William Edmunds, breaking open letter boxes, 2 years in State Prison; J. L. Carey, stealing letters from the Post-Office, 4 years in State Prison; John McGehee, receiving stolen goods, 18 months in United States Court; 4 years in State Prison; Joseph Dunstan and John Quinn, dealing in advertisements printed in the similitude of United States notes, each 13 months in State Prison.

CIVIL NOTES.

A motion was made before Judge Donohue, in the Supreme Court, yesterday, for an order prohibiting the Sureties from allowing, and the executors from carrying out, the distribution of the late James B. Taylor's estate. The order to show cause was based on a decision of the Court of Appeals reversing the Surety's judgment. Decision was reserved after the argument.

Daniel Fallon's suit against the city for \$17,500, rent due for the occupancy of Neilson Hall on Fifteenth-st., which he leased in 1872 for army purposes at \$14,000 a year, is now on trial before Judge Van Brunt in Supreme Court, Circuit, Part III. The plaintiff claims that the city had no right to withhold the rent, and that it was the result of collusion between Fallon and persons acting in the interest of the Board of Supervisors. Messrs. McKeon and Smith appear for the plaintiff, and Dean and Carter represent the city.

Judge Daniels rendered a decision yesterday regarding the two motions made on Wednesday in the Supreme Court in the matter of Henry Clew's property. He denies both motions and dismissed the proceedings with costs. One motion was by the First National Bank of Troy, and the other by E. Schenck, first, for an order to compel Mr. Clews to appropriate enough of his property to satisfy judgments against him; secondly, for the appointment of a receiver of his property. Judge Daniels' opinion is as follows: "I am of the opinion, in which he gives his grounds for denying both motions and dismissing the proceedings against Mr. Clews."

CRIMINAL NOTES.

At the Essex Market Police Court yesterday, Frederick Wall was held in \$1,000 bail for shooting a pocket-book containing \$500 from the hand of Mrs. Hedges of No. 128 Orange-st.

William Hughes, who was convicted on Tuesday of keeping a salacious boarding-house without a license, was sentenced to 18 months in State Prison, and to a fine of \$100.

At the Tompkins Police Court yesterday, George Ray was held in \$1,000 bail for stealing \$25 from the cash drawer of the store of E. B. Johnson, at No. 90 Chambers-st. Late Margaret May, wife of John May, was sentenced to 18 months in State Prison, and to a fine of \$100 from the store of Walter & McElroy, No. 245 Grand. Thomas Brown was committed for examination on a charge of robbing a safe in the office of Dr. H. H. Hovey at No. 256 West-st., on Wednesday night, and then robbing him of \$250 in money. John Kellman was held in \$1,000 bail for stealing a sum of about \$100, from the room of John Vanderveen, at No. 46 Greenwich-st.

Justice Smith at the Jefferson Market Police Court yesterday held Nelly Dunn in default of \$1,000 for stealing \$25 from her employer, Mr. Marcellus of No. 259 East Twenty-third-st.

The prisoner admitted the theft, and was sentenced to 18 months in State Prison, and to a fine of \$100.

John F. Murphy, a justice of the peace, was held with bail on Wednesday night, charged with robbing the hardware warehouse of John Bailey at No. 350 West-st., and two hundred dollars were spent on his bail.

John F. Murphy, a justice of the peace, was held on Wednesday night, charged with robbing a safe in the First National Bank, a new complaint was taken yesterday. The sum the thief took was not given.

Walter Jones, who was charged with having attempted to rob an oil can bank for a forged check for \$31, which purported to belong to one Walter Jones.

At the Yorkville Police Court yesterday Linda Kistinger of No. 216 West-st., charged with shoplifting, was held in \$1,000 bail for stealing \$250 worth of goods from her hand, while she was walking through Fifth-avenue. Judge Oberholser held McEvoy in default of \$1,000.

Martin Daneker of No. 842 Third-avenue was held with bail of \$1,000, and charged with robbing a safe in the office of Dr. J. W. Thompson, No. 100 Broadway, on Wednesday night.

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